

THE HONORABLE JOHN C. COUGHENOUR

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

VALERIE SAMPSON and DAVID RAYMOND, on  
their own behalf and on the behalf of all  
others similarly situated,

Plaintiffs,

v.

KNIGHT TRANSPORTATION, INC., an Arizona  
corporation, KNIGHT REFRIGERATED, LLC, an  
Arizona limited liability company, and KNIGHT  
PORT SERVICES, LLC, an Arizona limited liability  
company,

Defendants.

Case No. 2:17-cv-00028-JCC

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' MOTION FOR FINAL  
APPROVAL**

Plaintiffs' Motion for Final Approval of Class Action Settlement (ECF No.198) and  
Plaintiffs' Motion for Approval of Class Representative Stipends and Attorney Fees and Costs  
(ECF No. 193) came before this Court on a hearing on April 4, 2023. The above captioned Action  
is a class action lawsuit brought by Plaintiffs Valerie Sampson and David Raymond ("Plaintiffs")  
against Knight Transportation, Inc., Knight Refrigerated, LLC, and Knight Port Services, LLC  
("Knight" or "Defendants") (collectively the "Parties"). Plaintiffs allege that Knight willfully failed  
to pay Plaintiffs and a certified Class of employee drivers ("Class") for wage and hour abuses in  
violation of Washington law. Knight denies any and all wrongdoing, and denies any liability to  
the Plaintiffs or to members of the Class.

1 On November 8, 2022, this Court entered an Order Granting Preliminary Approval of  
 2 Settlement. That Order directed the Settlement Administrator to provide Notice to the Class,  
 3 which informed Class members of: (a) the proposed Settlement, and the Settlement's key  
 4 terms; (b) the date, time, and location of the Final Approval Hearing; and (c) the right of any  
 5 Class Member to object to the proposed Settlement, and an explanation of the procedures to  
 6 exercise those rights.

7 The Court, upon Notice having been given as required in the Preliminary Approval  
 8 Order, and having considered the proposed Settlement Agreement, as well as all papers filed,  
 9 hereby ORDERS, ADJUDGES AND DECREES AS FOLLOWS:

10 1. This Court has jurisdiction over this matter and over all Parties, including all  
 11 members of the Settlement Class.

12 2. This Court confirms the proposed Settlement Class satisfies the requirements of  
 13 Fed. R. Civ. P. 23, as found in the Court's Order Granting Class Certification (ECF No. 117) and  
 14 finds that the Settlement Class is properly certified as a class for settlement purposes.

15 3. The Notice provided to the Settlement Class conforms with the requirements of  
 16 Fed. R. Civ. P. 23, the Washington and United States Constitutions, and any other applicable  
 17 law, and constitutes the best notice practicable under the circumstances, by providing  
 18 individual notice to all Class Members who could be identified through reasonable effort, and  
 19 by providing due and adequate notice of the proceedings and of the matters set forth therein  
 20 to the other Class Members. The Notice fully satisfied the requirements of due process.

21 4. The Court finds that the Settlement was entered into in good faith as the result  
 22 of arm's-length negotiations between experienced attorneys, that the Settlement is fair,  
 23 reasonable, and adequate, and that the Settlement satisfies the standards and applicable  
 24 requirements for final approval of this class action Settlement under Washington law and the  
 25 provisions of Fed. R. Civ. P. 23.

26 5. No Class Member has objected.

6. Upon entry of this Order, compensation to the members of the Settlement Class shall be effected pursuant to the terms of the Settlement Agreement.

7. In addition to any recovery that Plaintiffs may receive under the Settlement, and in recognition of the Plaintiffs' efforts on behalf of the Settlement Class, the Court hereby approves the payment of service awards to the Plaintiffs, in the amount of \$5,000 each, to be paid pursuant to the terms of the Settlement Agreement.

8. The Court approves payment not to exceed \$12,000 to the Settlement Administrator for their fees and costs to administer the Settlement.

9. The Court approves the payment of attorneys' fees to Class Counsel in the sum of \$112,500. This amount reflects the 25% benchmark amount of the common fund and is also supported by the lodestar analysis. The Court also approves the payment of \$65,545.82 to Class Counsel to reimburse them for litigation costs and expenses they incurred. The attorneys' fees and costs awards shall be distributed to Class Counsel in accordance with the terms of the Settlement Agreement.

10. Upon the date on which this order is entered (the "Effective Date"), the Plaintiffs and all members of the Settlement Class, shall have, by operation of this Order and the accompanying Judgment, fully, finally and forever released, relinquished, and discharged Knight from all claims as defined by the terms of the Settlement. Upon the Effective Date, all members of the Settlement Class shall be and are hereby permanently barred and enjoined from the institution or prosecution of any and all of the claims released under the terms of the Settlement.

11. This Court hereby dismisses this action with prejudice as to all Settlement Class Members except those who have timely and properly excluded themselves from the Settlement Class. Individuals who have timely and properly excluded themselves from the Class and are thus not bound by this Judgment are listed on Exhibit A, which is attached to this order.

1           12. Pursuant to the Settlement Agreement, this Order shall constitute a dismissal of  
2 this action on the merits with prejudice with respect to Defendants, without fees or costs to  
3 any party except as provided in the Settlement Agreement and approved by the Court.

4           13. Without affecting the finality of this Final Approval Order and Judgment for the  
5 purposes of appeal, this Court shall retain jurisdiction to all matters relating to administration,  
6 consummation, enforcement, and interpretation of the Settlement Agreement and the Final  
7 Approval Order, and for any other necessary purpose.

8           THEREFORE, the Clerk of the Court is HEREBY ORDERED to enter this Final Order of  
9 Judgment and Dismissal with Prejudice.

10          IT IS SO ORDERED.

11          DATED this Fourth day of April, 2023.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

THE HONORABLE JOHN C. COUGHENOUR

**Exhibit A**

Todd Katke  
Ray Ballard